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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,933	02/20/2002	Fujihito Numano	04329.2736	7099

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EXAMINER
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VU, THANH T

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/077,933	Applicant(s) NUMANO, FUJIHITO	
	Examiner Thanh T. Vu	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 32-38 and 43-47 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 32-38, and 43-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

This communication is responsive to Amendment, filed 10/17/2005.

Claims 32-38, and 43-47 are pending in this application. In the Amendment, claims 1-31, 39-42, and 48-56 were cancelled. This action is made Final.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 32-35, 43-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollon Jr. ("Hollon", U.S. Pat. No. 5, 768,164) and Sonehara et al. ("Sonehara", U.S. Pat. No. 6,633,930)

Per claim 32, Hollon teaches a portable information apparatus comprising:

a main display (fig. 1, display 20);

a sub-display provided independently of the main display and at a position where the sub-display is externally visible when the main display is in a closed position (fig. 2; display 39; col. 1, lines 44-49); and display control means which displays an application program to be started in response to the event generated by a control device on the sub-display in one of a power-off state, a sleeping state, and a main display off state (figs. 2-7; col. 2, line 65 – col. 3, line 5).

Hollon does not specifically teach a jog device which generates a plurality of types of events and

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display control means which displays a name of an application program to be started in response to the event generated by the jog device on a display. However, Sonehara teaches a jog device which generates a plurality of types of events and display control means which displays a name of an application program to be started in response to the event generated by the jog device on a display (fig. 3 and figs. 17-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include Sonehara's teaching in the invention of Hollon in order to provide a convenient user interface that allows the user to select an application by a simple operation using a rotary-type dial.

Per claim 33, Hollon teaches a portable information apparatus according to claim 32, further comprising customizing means which customizes the number of application programs, and wherein the display control means displays the application programs customized by the customizing means (figs. 2-7; col. 3, lines 6-21).

Per claim 34, Hollon and Sonehara teach a portable information apparatus according to claim 32, wherein when an application program of the application programs displayed on the sub-display is started by the jog device, the display control means displays information other than the name of the started application program on the sub-display (Hollon: figs. 3-7; col. 3, lines 5-18; Sonehara fig. 21).

Per claim 35, Hollon teaches a portable information apparatus according to claim 32, wherein when the application program started by the jog device has finished, the display control means displays status information on the sub-display (fig. 3-7; col. 2, line 65- col. 3, line 5).

Claims 43-46 are rejected under the same rationale as claims 32-35 respectively.

Claims 36-38, 47, 53, 55 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollon Jr. ("Hollon", U.S. Pat. No. 5, 768,164), Sonehara et al. ("Sonehara", U.S. Pat. No. 6,633,930), and Mondshine et al. ("Mondshine", U.S. Pat. No. 6,252,511)

Per claim 36, the modified Hollon teaches a portable information apparatus according to claim 32, further comprising display control means (fig. 8, col. 3, lines 34-41).

The Modified Hollon does not teach detection means which detects a system abnormality of the portable information apparatus and displaying a message indicating a system abnormality on the sub-display when the system abnormality is detected by the detection means. However, Mondshine teaches detection means which detects a system abnormality of the portable information apparatus and displaying a message indicating a system abnormality on the sub-display when the system abnormality is detected by the detection means (figs 1A and 1B; sub-display 54; col. 2, lines 18-30). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include Mondshine's teaching in the invention of the modified Hollon because it provides an improved functionality and ease of use in techniques for the users in displaying the condition of the portable apparatus.

Per claim 37, the modified Hollon teaches a portable information apparatus according to claim 32, further comprising display control means (fig. 8, col. 3, lines 34-41).

the modified Hollon does not teach detection means which detects information to be notified to a user, wherein when the detection means detects information to be notified to a user and displaying a message indicating the detected information on the sub-display. However, Hirai teaches detection means which detects information to be notified to a user, wherein when the detection means detects information to be notified to a user and displaying a message indicating

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the detected information on the sub-display (figs 1A and 1B; sub-display 54; col. 2, lines 18-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include Mondshine's teaching in the invention of the modified Hollon because it provides an improved functionality and ease of use in techniques for the users in displaying the condition of the portable apparatus.

Per claim 38, Hollon teaches a portable information apparatus according to claim 37, further comprising means for restoring a window shown on the sub-display to the window which was shown before the message was displayed, after the message is displayed on the sub-display (figs. 3-7; col. 3, lines 5-18).

Claim 47 is rejected under the same rationale as claim 36.

### ***Response to Arguments***

Applicants' arguments in the Amendment have been fully considered but are not persuasive.

Applicant's primary argument is that "'the application" of Hollon is not an application program to be started in response to event generated by the jog device". In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In this case, Hollon teaches display control means which displays an application program to be started in response to the event generated by control buttons on the sub-display in one of a

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power-off state, a sleeping state, and a main display off state (figs. 2-7; buttons: 31-38; col. 2, line 65 – col. 3, line 5). Hollon does not teach that a user can access the application on the sub-display 39 through a jog device. However, Sonehara teaches a jog device that a user can select an application by simple operation (fig. 3 and figs. 17-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include Sonehara's teaching in the invention of Hollon in order to provide a convenient user interface that allows the user to select an application by a simple operation using a rotary-type dial (col. 2, lines 5-7).

In addition, applicant also points out that Hollon does not teach a sub-display provided independently of the main display and at a position where the sub-display is externally visible when the main display is in a closed position. Hollon teaches the limitation because the sub-display screen (item 39) is an independent and separate display screen from main display screen (item 20) and at a position where the sub-display is externally visible when the main display is in a closed position (see figs. 1 and 2; col. 1, lines 45-50).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The examiner can normally be reached on Mon-Thur and every other Fri 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T. Vu

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